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DATE: September 17, 2003

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THE FOLLOWING PAGES ARE FOR:

Name	Examiner David Kruse Group Art Unit 1638
Name of Firm	U S Patent & Trademark Office
Fax No.:	703-872-9306
Transmitting Party:	Robert Jondle JONDLE & ASSOCIATES P.C.

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Re: Serial No. 10/043,198**See attached Election of Restriction Requirement.**

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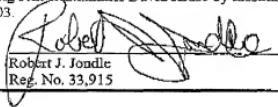
**IN THE
UNITED STATES
PATENT AND TRADEMARK
OFFICE**

<i>Application Number</i>	10/043,198
<i>Filing Date</i>	January 14, 2003
<i>First Named Inventor</i>	Wayne P. Fitzmaurice
<i>Group Art Unit</i>	1638
<i>Examiner Name</i>	D. Kruse
<i>Attorney Docket Number</i>	N1328-004

Title of the Invention: Interspecific Nicotiana Hybrids and their Progeny

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent to Examiner David Kruse by facsimile transmission (703) 872-9306 on this 17th day of September, 2003.



Robert J. Jondle
Reg. No. 33,915

ELECTION OF RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated August 27, 2003, restricting the invention to one of three groups of claims under 35 U.S.C. §121, Applicant hereby elects Group I for claims 1-10, drawn to an interspecific *Nicotiana* hybrid, classified in class 800, subclass 317.3.

RESPECTFULLY SUBMITTED,					
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SIGNATURE			DATE	September 17, 2003	
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